

**Thomas Jefferson to James Bowdoin, July 26, 1806,
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Leicester Ford.**

TO THE U.S. MINISTER TO SPAIN¹ J. MSS. (JAMES BOWDOIN.)

¹ Endorsed: "Not sent."

July 26, 1806.

Dear Sir, —I wrote you a long letter on the 10th inst. since which your favor of May 20 has come to hand. By this I perceive, & with the deepest affliction, not only that a misunderstanding has taken place between yourself & Genl. Armstrong, but that it has occasioned a misconstruction of your powers likely to defeat the object of your mission, a mission on the result of which the eyes of all our citizens are anxiously fixed, as that which can alone give them a convenient & certain boundary with the prospect of long peace. The commission sent you is in the precise words (as to it's formal parts) of that under which Messrs. Monroe & C. Pinckney acted at Madrid in the same business; & the same also as that formerly given to Mr. Livingston & Monroe, & the one lately given to Monroe & W. Pinckney. It's purport is indeed joint or several; it's intention that if found together, the ministers shall act jointly, but if the death, sickness or absence of either should happen, then the other should have authority to proceed separately. Never before has this form met with any objections; & never before was it constructed to give to either the power to do a single act relative to it's object, but in conjunction with the other. In the instructions indeed a small variation in form only happened from this circumstance. They were prepared before we were certain that you would be at Paris when they should arrive, and as we had determined no more to address ourselves to Madrid, but thro' the medium

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of France, where Genl. Armstrong was accredited, the instructions were at first addressed to him singly. When it was afterwards determined to join you in a negotiation, the caption was made to declare that they were common to you both: and the address on the back was joint. This change in the caption & superscription completely changed the effect of every paragraph in the instrns & addressed it's contents to both of you. I cannot see how it could be inferred that these instructions were not to have operation until the authority at Paris shall be ready on the part of Spain? On the contrary they were in operation from the moment they were received, and from that moment neither had a right to take a single step, formal or informal, but with the concurrence of

the other. As France had neither right nor interest in the provinces coterminous with Louisiana either on the East or West which were to be the subject of negotiation, she could not become a party to the treaty. No diploma was necessary therefore to be addressed to her formally. The friendly dispositions which dictated our requests of her good offices, would induce her to yield them on being informally satisfied that you had full powers to conclude with Spain. This she would have been by a sight of your full-powers, or of a letter or another less formal manifestation of your authority: and on this she would naturally invite Spain to meet us in negotiation at Paris, where her good offices could be rendered to both. This was the course we supposed the business would take. If Genl. Armstrong has written to you "that you are to have nothing to do with the negotiation until Spanish agents are upon the ground" it is wrong, because you had equal authority with him to take the measures properly necessary to bring them on the ground. No greater authority was given or intended for the one than the other.

I hardly suppose this explanation can reach Paris in time to remedy—

I have much higher hopes that gentlemen so selected for the superiority of their characters & understanding will have had so much greatness of mind as to silence their individual passions in the presence of such great public interests, and to have exerted all the powers of their mind to bring them to the result so much desired. This disposition would, of course,

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be inforced by the consideration that the evil arises at such a distance from us as to admit of no remedy till too late. That private indisposns towd each other should sometimes exist in diff agents of the same govmnt is what is to be found in all govmnt. With these the public have no concern, but were these indisposns to prevent them from executing dispassionately & faithfully any public duties which brought them together, would be a ground of serious blame. My estimation of you both must be

obvious from my selection of you from the whole body of our country for the discharge of it's highest trusts. My confidence in you has kept me without pain & without a fear that everything would [be] done to accomplish the great object committed to you, which patriotism & talents could affect, and I will not believe yet that¹

¹ Here the letter ends.